

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

BARBARA BARRETT, individually
and o/b/o S.S. and B.S., her minor
daughters,

Plaintiff,

v.

WYOMING VALLEY WEST
SCHOOL DISTRICT,

Defendant.

CIVIL ACTION NO. 3:16-cv-01769

(SAPORITO, M.J.)

ORDER

AND NOW, this 26th day of September, 2017, upon consideration of the motion to dismiss (Doc. 3) filed by the defendant, and consistent with the Memorandum filed simultaneously herewith, it is hereby ORDERED that:

1. The defendant's motion to dismiss (Doc. 3) is DENIED in part, and GRANTED in part;
2. The motion to dismiss is DENIED as to Counts I and II of the complaint;
3. The motion to dismiss is GRANTED without prejudice as

to Count III of the complaint;

4. The plaintiff is granted leave to file an amended complaint within twenty-one (21) days from the date of this order.

s/ Joseph F. Saporito, Jr.
JOSEPH F. SAPORITO, JR.
U.S. Magistrate Judge

September 26, 2017